

**ORIGINAL**

cts United States of America  
Northern District of Texas  
United States of America

U.S. DISTRICT COURT	
NORTHERN DISTRICT OF TEXAS	
FILED	
NOV 21 2014	
CLERK, U.S. DISTRICT COURT	By _____
Deputy	

Dallas Office.  
Latona E. Long

Bocket No: 4:13-CR-049-Y.

Latona E. Long

Inmate No: 46020177

MOTION PURSUANT TO 28 USC. SECTION 2255.

Now Comes Petitioner, Latona E. Long, Pro Se, with a MOTION under 28 U.S.C. section 2255, to vacate, set aside or correct sentence, by a person in federal custody. Therefore, Petitioner avers the following:

- 1) United States Court House and Earle Cabell federal Building 1100 Commerce St, Room 1452; Dallas, Texas 75242 is the Court in which the judgment of conviction and Subsequent sentence was entered.
- 2 a) Date of Conviction is June 20, 2013  
b) Date of Sentence is November 12, 2013
- 3) Petitioner was sentenced to 120 months followed by five (5) years of Supervised Release.
- 4) Offense Charged 18:2252 (A)(2) Distribution of a visual depiction of a minor engaged in sexually explicit conduct, a class 'C' Felony.
- 5) Petitioner pled to same charge as Number 4 above.
- 6) Petitioner did not go to trial.

- 7) Petitioner did not testify at any time, under oath.
- 8) Petitioner did not file any motions or appeals.
- 9) Petitioner claims that there has been a violation of the provisions of the Constitution of the United States Sixth (6<sup>th</sup>) Amendment, right to the effective assistance of counsel.
- 10) Petitioner states that number 9 (nine) above is supported by statements made by counsel during sentencing that were not in Petitioner's best interest. Specifically the statement, "I believe that what the girl did was a sin. There's no excuse for it. I don't think she's a bad person. I'm sorry that such a smart girl did a stupid thing", was not in Petitioner's best interest.
- 11) Further, Petitioner states that counsel responded to Petitioner's father, but not to her. Counsel was Petitioner's counsel, but made decisions without Petitioner and with Petitioner's father.
- 12) Petitioner states that counsel and father decided that Petitioner needed to stop stating sexual abuse and recant any previous statements. Such actions were not in the best interests of Petitioner.
- 13) Petitioner states that the claims of numbers 9 (nine) through 12 (twelve) above are further validated by coercion of Petitioner's agreement with counsel and father, by use of harm to father.

- 14) Petitioner claims that there has been a violation of the provisions of the United States Constitution's 5<sup>th</sup> (fifth) Amendments due process clause.
- 15) Petitioner claims that her right to due process under the U.S. Constitution were violated as Petitioner was coerced in conversations with the prosecution, and/or her counsel, and/or her father that harm would come to Petitioner's father by way of arrest.
- 16) Petitioner's plea and other actions were not knowingly or voluntarily made due to the use of threat against Petitioner that arrest of her father was imminent.
- 17) Petitioner states that at no time were either of these claims brought before any federal court, nor heard by any judge.
- 18) Petitioner is not aware of any motion and/or action pending on this case.
- 19) Petitioner has used the following Attorney:  
J. Warren St. John, Esquire.  
Law Offices of  
J. Warren St. John.  
Fort Worth, TX
- 20) Petitioner was sentenced in only one court and on only one indictment.
- 21) Petitioner has no pending fixture sentences

as) The motion at hand has been filed within One year and ten (10) days from the date of Sentence, therefore, timely filed.

Wherefore, Petitioner asks that this Honorable Court, grant relief as to set aside, vacate sentence and to appoint effective, competent counsel to aide Petitioner or to grant any other relief to which the Petitioner may be entitled.

Latona E. Long  
Latona E. Long.

I declare under penalty of perjury that the foregoing is true and correct. and that this motion under 28 U.S.C. Section 2255 was placed in the prison mailing system on November 17, 2014. All statements including this statement are made to the best of my knowledge.

11-17-14  
executed date.

Latona E. Long  
Latona E. Long.

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Latona Long  
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ENCL 350  
IS NOW EX 31

forever

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1100 Commerce ST  
Room 1452  
Dallas, TX 75242  
United States

Nov 21 2014  
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